

2 indicted in Pan Am deaths

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Suspects are spies for Libya

By Jerry Seper and Paul Bedard
THE WASHINGTON TIMES

The United States and Britain yesterday charged two Libyan intelligence agents with murder and conspiracy in the deaths of 270 persons in the 1988 bombing of Pan Am Flight 103 over Lockerbie, Scotland.

Abdel Basset Ali Megrahi and Lamen Khalifa Fhimah, described as "officers and operatives" of the Libyan intelligence agency, are accused of planting the bomb on the Boeing 747 jumbo jet and murdering the 259 persons on board and 11 on the ground.

The two men, both of whom are believed to be in Libya, are considered fugitives.

"This investigation is by no means over," Attorney General-designate William P. Barr, who was deputy attorney general when nominated for the top Justice Department job, said in announcing the indictment in Washington.

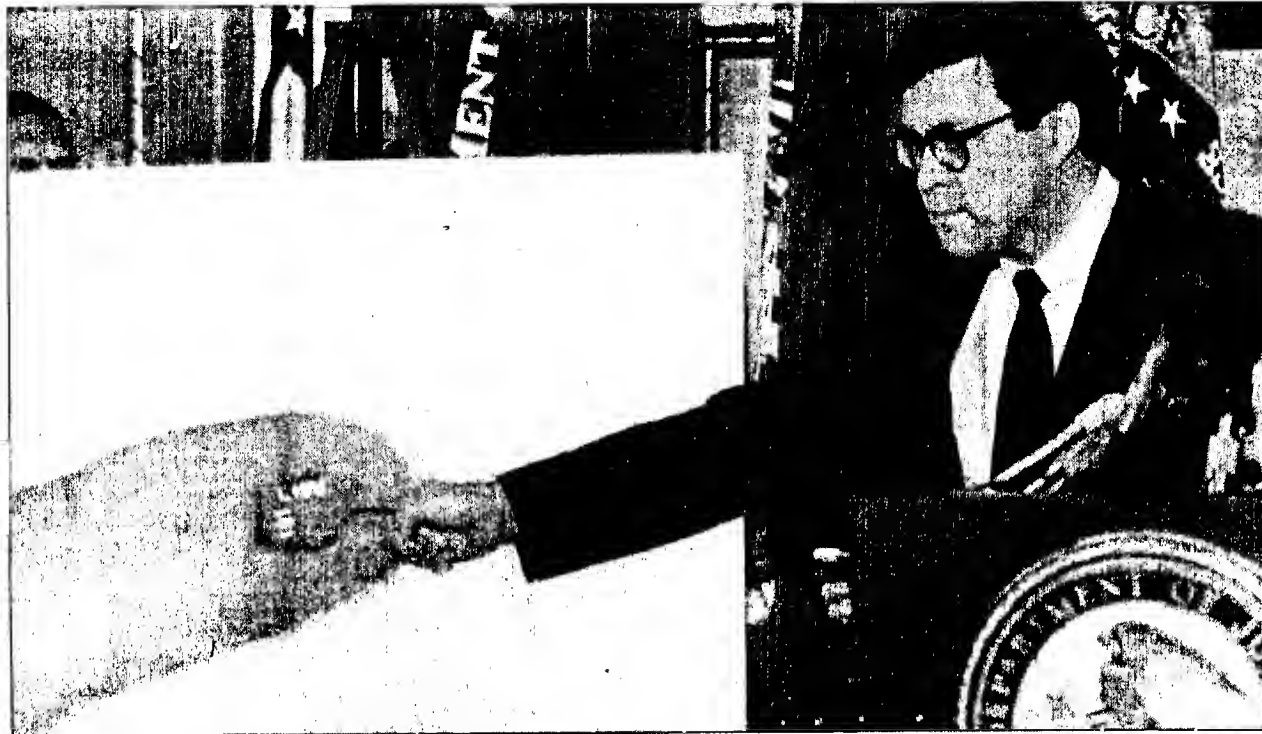
"We will not rest until all those responsible are brought to justice, and we have no higher priority."

The indictment was returned by a federal grand jury. A similar indictment against the two Libyans was announced simultaneously in Britain by Scotland's Lord Advocate, Lord Fraser of Carmyllie, who said Libyan government officials would be pressed to turn the men over for trial.

Meanwhile, the White House strongly indicated that Libyan leader Col. Moammar Gadhafi was involved in the bombing and suggested that state-sponsored terrorism would be met with diplomatic and then military retaliation.

In an unusually blunt statement, White House press secretary Marlin Fitzwater said, "We are talking about the full range of matters that are available to countries in terms of their authorities — the diplomatic, civilian, military across the whole gamut."

Senior administration officials said President Bush already has discussed retaliation plans with the leaders of several NATO allies, including British Prime Minister John Major and French President Francois Mitterrand. The discussions



The evidence: Attorney General-designate William Barr displays a photo of a fragment of the radio-cassette player where the Pan Am bomb was hidden.



The suspects: Abdel Basset Ali Megrahi (left) and Lamen Khalifa Fhimah are charged in the 1988 bombing of Flight 103, which killed 270.



have taken place over the past several days.

Military options include seizing the alleged terrorists and senior Libyan authorities, according to Bush administration sources. Most likely, they said, the administration would team with other nations to press Libya through diplomatic channels

to turn over the alleged conspirators.

Mr. Fitzwater and other officials made the case for military action by characterizing the bombing as state-sponsored terrorism, rather than a terrorist act by an independent group. But administration officials pressed the peaceful, diplomatic avenue to bring the suspects to justice.

tice.

"We are considering action, and I'll leave it at that," he said.

As the indictment was announced, a report said Libya is said to play a major role in sponsoring and promoting international terrorism.

Security has been stepped up around U.S. installations and air bases out of concern that Libya might react to the indictment with another wave of terrorist action.

Mr. Barr, in his first major criminal indictment since being nomi-

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Soviet unity gains support

By Gerald Nadler
THE WASHINGTON TIMES

MOSCOW — Soviet President Mikhail Gorbachev reached agreement with the leaders of seven republics yesterday to preserve a union government in a new, confederated state.

The accord reached after all-day talks at Mr. Gorbachev's dacha outside Moscow marked the most significant progress since the failed August coup at maintaining a central government, which is preferred by international financial organizations and foreign states in dealing with Moscow.

But five republics — the Ukraine, Moldavia, Georgia, Armenia and Uzbekistan — did not attend the State Council meeting at Novo-Ogarevo with Mr. Gorbachev; the agreement is also only the first step in a long process.

The political union pact must be finalized, then approved by the parliaments of the republics and sent back to the State Council.

Foreign governments are concerned that the lack of a central government structure could lead to a dangerous dispersal of Soviet nuclear weapons among the republics and that there would be no central authority to pay the foreign debt of \$70 billion.

Mr. Gorbachev, who has threatened twice in the last three months to resign if a union treaty is not signed, held his hands together in front of him in a pose of relief and thankfulness at the televised news conference where the progress toward a pact with the republics was announced.

"The [new] Union of Sovereign States will be a confederated, democratic government," Mr. Gorbachev said. He added that a military union agreement was one of the next steps toward reorganizing the Soviet state.

Boris Yeltsin and Nursultan Nazarbayev, presidents of the two largest republics, Russia and Kazakhstan, then stepped forward to announce their approval of the accord as a smile engulfed Mr. Gorbachev's face.

"It is hard to say what will be the

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LIBYANS

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inated last month, described the investigation as "one of the most exhaustive and complex" in history.

"We charge that two Libyan officials, acting as operatives of the Libyan intelligence service along with other co-conspirators, planted and detonated the bomb that destroyed Pan Am Flight 103," he said.

"I have just telephoned some of the families of those murdered in Pan Am Flight 103 to inform them and the organizations of survivors that this indictment has been returned," he said. "Their loss has been ever-present in our minds."

The 193-count indictment, returned by a federal grand jury in Washington, alleges that the two Libyan intelligence officials constructed a bomb of plastic explosive and a sophisticated timing device and put it into a portable radio-cassette player in a suitcase.

On Dec. 20, 1988, according to the indictment, they flew from Libya to Malta, where one of them had worked for Libyan Arab Airlines and had access to baggage tags of another airline, Air Malta.

"By using stolen Air Malta baggage tags, the defendants and their co-conspirators were able to route the bomb-rigged suitcase as unaccompanied luggage," Mr. Barr said. "The suitcase was put aboard an Air Malta flight that went to Frankfurt, Germany."

At Frankfurt, the indictment said, the suitcase was transferred to a connecting Pan Am flight — 103-A — bound for Heathrow Airport in London. At Heathrow, it was placed aboard Pan Am 103 and exploded about 38 minutes after the aircraft had left for New York City on Dec. 21, 1988.

The two Libyans are charged with conspiracy to murder those on board the plane and placing a bomb on the jet. The United States has no extradition treaty — or diplomatic relations — with Libya to bring them to this country for trial. Justice Department authorities said they hoped to get the men back to the United States but did not elaborate.

Mr. Barr said U.S. and Scottish authorities, after an "exhaustive" analysis of tons of debris, determined that the bomb had been in the suitcase in a large, aluminum baggage container in the aircraft's forward cargo hold. He said the bomb consisted of 10 to 14 ounces of plastic explosive.

"The methodical crime scene investigation yielded a tiny, small fragment — smaller than a fingernail — that had been driven by the blast into the large cargo container," he said. "Forensic experts determined that this was part of the circuit board of the Toshiba radio."

He said a fragment of green circuit board, also smaller than a fingernail, was found in a piece of shirt that had been in the suitcase containing the bomb.

"Scientists determined that it was part of the bomb's timing device and traced it to its manufacturer, a Swiss company that had sold it to a high-level Libyan intelligence official," Mr. Barr said.

Mr. Megrahi, 39, was described by U.S. authorities as a senior officer of the Libyan intelligence agency, known as the Jamahiriya Security Organization. They said he has held various positions with Libyan Arab Airlines and served as director of the Center for Strategic Studies in Tripoli at the time of the bombing.

Mr. Fhimah, 35, also was described as a covert agent of the Libyan intelligence agency and worked as station officer with Libyan Arab Airlines in Malta.

The indictment represents the first charges to be filed in the nearly 3-year-old case. Of those who died in the terrorist explosion, 189 were Americans. The victims were from 21 countries and included eight families of four. Sixteen infants sitting on the laps of their parents also were killed.

Thirty-five of the victims were Syracuse University students returning to the United States after a pre-Christmas trip to Europe.

The investigation initially centered on allegations that the Syria-backed Popular Front for the Liberation of Palestine-General Command (PFLP-GC), led by suspected terrorist Ahmed Jibril, had been responsible for the Pan Am bombing.

CIA intelligence officials originally said the organization conspired with Iranian officials to attack a U.S. airliner in retaliation for the 1988 accidental downing of an Iranian jetliner by a U.S. warship, the USS Vincennes, in the Persian Gulf.

But Assistant Attorney General Robert Mueller III, who heads the Justice Department's criminal division, said yesterday there was no evidence to link the Pan Am bombing to Iran, Syria or the PFLP-GC.

Yesterday's State Department report on Libya's terrorism role said:

• Libya provides training facilities and several million dollars a year to terrorist groups, which has been connected to 280

WHO DID IT?

Initially, the Pan Am bombing investigation centered on the Syria-backed terrorist group Popular Front for the Liberation of Palestine-General Command. Yesterday's indictment against two Libyan intelligence officers said they acted with "other co-conspirators," but officials said there was no evidence to link the bombing to Iran, Syria or the PFLP-GC. Various officials and press reports pointed to this list of characters as possible suspects during the probe.

■ **Ahmed Jibril:** Leader of the Popular Front for the Liberation of Palestine — General Command. A terrorist cell of the PFLP-GC in West Germany was believed to have carried out bombing. Bomb parts found in debris around Lockerbie were reportedly traced to his group.

■ **Mohammed Abu Talb:** Identified by a Swedish court as a suspect in bombing and a member of the Palestine Popular Struggle Front. Suspected of purchasing some of the clothing found in the suitcase on Pan Am Flight 103 in which the bomb was hidden.

■ **Khalid Jaafar:** Lebanese American student from Detroit who was killed in the bombing, was suspected of unknowingly carried the bomb aboard the plane in a suitcase. Officials yesterday denied his involvement.

■ **Hafez Dalkomoni:** PFLP-GC member and key aide to Jibril, was arrested in West Germany with 13 other suspected terrorists two months before the Pan Am incident. U.S. intelligence officials identified him as being involved in bombing attempts.

■ **Abdullah Senoussi:** Brother-in-law of Libyan leader Col. Moammar Gadhafi and de facto chief of the Libyan intelligence service, the Jamahiriya Security Organization, which has been tied to the Pan Am bombing.

■ **Moussa Koussa:** Vice minister of Libyan foreign affairs. Identified by U.S. intelligence officials as a suspect in prior bombing attempts.

■ **Mohammed Naydi:** Senior Libyan intelligence official, suspected because equipment he used in other bombings matched equipment used in the Pan Am bombing. He was arrested and later released.

■ **Mansour Omran Saber:** Libyan intelligence agent and longtime colleague of Mohammed Naydi. Arrested with Mr. Naydi, and also released.

■ **Ali Akbar Hashemi Rafsanjani:** President of Iran who was identified in early CIA reports as knowing about the Pan Am bombing. He was commander in chief of the military in the summer of 1988 when the operation was reportedly commissioned through the Iranian Revolutionary Guard.



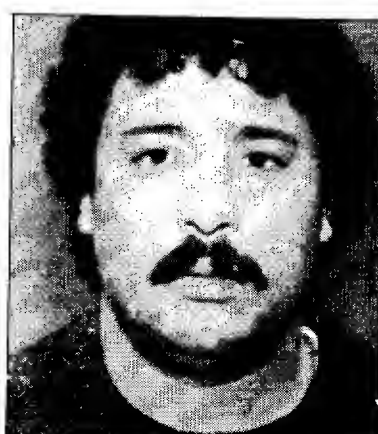
Jibril



Rafsanjani



Abdel Basset Ali Megrahi



Lamen Khalifa Fhimah

TRACKING TERRORIST BOMBERS

Chronology of events surrounding bombing of Pan Am Flight 103 on Dec. 21, 1988.

Nov. 14, 1991 — Two Libyan intelligence officials indicted for planting bomb that destroyed Flight 103.

Dec. 4, 1990 — Justice Department says a month-long inquiry produced no evidence that terrorists who blew up Pan Am Flight 103 two years earlier were unwittingly aided by an undercover U.S. drug investigation.

Nov. 16, 1990 — President Bush signs a bill tightening airport security.

Sept. 11, 1990 — A British government report into the disaster urges aircraft firms to make aircraft safer. Families of the victims say they are dissatisfied with the report because it failed to consider airport security.

June 11, 1990 — Justice Department reports "significant progress" in the investigation but says evidence to bring charges was still "not in hand."

May 15, 1990 — A presidential commission investigating the bombing recommends the United States should take military action against "terrorists" and nations that harbor them.

May 10, 1990 — Pan Am reaches an out-of-court settlement with 250 Scottish families whose relatives were killed or injured in the disaster.

Dec. 15, 1989 — Scotland's chief law officer announces the first public inquiry into the bombing, but says criminal prosecution is not imminent.

Nov. 17, 1989 — A presidential commission opens hearings in Washington.

Nov. 4, 1989 — CIA Director William Webster says the United States hopes to seize the bombers and bring them to trial in the United States.

Oct. 30, 1989 — West German officials say investigators found a trail leading to Malta as the likely source of the bomb and say a Libyan man may have played a role.

Sept. 11, 1989 — FBI says it believes it identified group responsible for the bombing.

Aug. 4, 1989 — President Bush announces formation of a seven-member commission to investigate air terrorism, with particular emphasis on the Pan Am bombing.

April 12, 1989 — Investigators say a U.S. citizen was tricked into taking the bomb on board.

April 3, 1989 — The United States announces new measures to combat sky terrorism.

March 22, 1989 — A State Department official testifies before Congress that the United States believes the bombing required aid from a foreign government because of the complex preparations that had to have been involved.

Jan. 10, 1989 — British investigators say the bomb was planted in the aircraft's forward baggage hold.

Dec. 31, 1988 — Libyan leader Moammar Gadhafi says he believes sabotage caused the crash, but denies Libya, Iran or Syria were responsible. The father of one victim files the first lawsuit against Pan Am.

Dec. 28, 1988 — Britain's Air Accidents Investigations Branch says the jet was blown up by a powerful bomb made of plastic explosives. Lawyers representing families of the victims say they will sue the U.S. government and Pan Am.

Dec. 23, 1988 — A British official says the government issued no public warnings about the threat because the information was considered confidential.

Dec. 22, 1988 — British investigators say sabotage was the most likely cause of the crash. U.S. officials say a threat to blow up a Pan Am flight to New York originating in Frankfurt, Germany, as Flight 103 had, was made to U.S. embassies in Europe and major airlines earlier in the month.

Dec. 21, 1988 — Flight 103 is destroyed over Lockerbie, Scotland, killing all 259 people aboard and 11 on the ground.

Source: Associated Press, Reuters

The Washington Times

deaths in more than 100 terrorist attacks.

• Col. Gadhafi last year gave more than \$1 million to the PFLP-GC, a terrorist group responsible for the bombings of two U.S. military trains in Germany in 1987 and 1988.

• Elements of the Palestine Liber-

ation Front, which has a long history of terrorist attacks, remain based in Libya, receiving broad government support.

• Libya's terrorist support and contacts have been traced to the Communist Party of the Philippines, Costa Rica, Peru and Chile.